

JUL 18 2011

Environmental
Cleanup Office

July 15, 2011

United States Environmental Protection Agency Region 10
Aaron Lambert, Environmental Protection Specialist
Environmental Cleanup Office ECL-111
1200 Sixth Ave., Suite 900
Seattle, WA 98101

Re: Request to Substantiate Confidentiality Claim, Desimone Trust

Dear Mr. Lambert:

On September 2, 2009, the BNY Mellon, one of the trustees of the Trust for Giuseppe and Assunta Desimone, (the Desimone Trust) submitted answers to EPA's request for information pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation and Liability Act. The Desimone Trust asserted that several of the documents it provided with its responses were Confidential Business Information (CBI.)

By letter dated May 25, 2011, a copy of which is attached for your reference, you indicated that EPA was reviewing the CBI claims, and offered the Desimone Trust an opportunity to comment on that determination. I am assisting the Desimone Trust in commenting on the CBI claims.

After reviewing the materials identified in your May 25, 2011 letter, the Desimone Trust withdraws its CBI claim on all of the documents *except* the income tax returns found in Exhibit 9, Tabs 1-10 of the original submittal. Income tax returns clearly meet the CBI requirements in 40 C.F.R. 2.204(e). If, however, you wish further comment on this CBI claim, please let me know.

Enclosed with this letter are two new CDs. One, marked CONFIDENTIAL, includes only the income tax returns for the tax years 2003-2007 found in Exhibit 9, Tabs 1-10 of the original submittal. The second includes Exhibit 2, Tabs 1, 5, 12 and 13; Exhibit 3, Tabs 2, 4, 6, and 7; Exhibit 4, Tabs 1, 2; Exhibit 5, Tabs 1, 7, 8, 9, 10, 11 and 12; Exhibit 6, Tabs 1, 2, 10, 11, 16, 19, 23 and 24; Exhibit 7, Tabs 1

USEPA SF



1376323

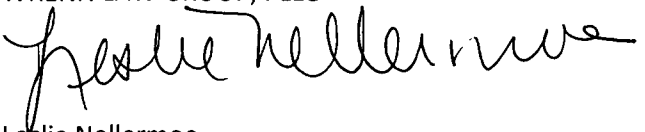
Page 2
July 15, 2011

and 2 and Exhibit 10, Tabs 1, 2, 3, 4 and 5. Indices for both disks are attached to this letter with the Bates number ranges for each document.

Please let me know if you have any questions.

Very truly yours,

WRENN LAW GROUP, PLLC

A handwritten signature in black ink, appearing to read "Leslie Nellermoe", written in a cursive style.

Leslie Nellermoe

Enclosures

cc: Elizabeth Parrott Stultz, BNY Mellon